



Re: Performance Bond for _____.

The accompanying instrument, Certificate of Deposit No. _____ in the amount of \$ _____ constitutes the performance bond for the aforementioned company under [CHECK ONE ONLY]: [] Permit Application Number or [] Permit Number _____ pursuant to § 45.2-1016 of the Code of Virginia, as amended, and Subchapter VJ of the Virginia Coal Surface Mining Reclamation Regulations.

This letter certifies that the aforementioned instrument is not and will not be considered as, or used as, collateral for any other purpose by the undersigned institution.

Further, without the actual presentation of the original instrument to the undersigned institution, the institution shall not authorize the withdrawal of, encumbrance, transfer of funds from, or allow the redemption of said instrument without the expressed written consent of the Virginia Department of Energy, Division of Mined Land Repurposing of the Commonwealth of Virginia (DMLR) or the Office of Surface Mining Reclamation and Enforcement of the United States Department of the Interior (OSMRE), as appropriate in accordance with the Cooperative Agreement between the DMLR and the OSMRE for operations conducted on Federal lands in the Commonwealth of Virginia.

It is further certified that the undersigned institution shall notify the DMLR, OSMRE, and the Permittee of any notice received or action filed alleging the insolvency or bankruptcy of the undersigned institution, or alleging any violations, which could result in the suspension or revocation of the institution's charter or license to do business.

By: _____ For: _____
Name of Institution Official Name of Institution
(printed or typed)

Signature of Institution Official Title of Institution Official

Address: _____ Telephone Number: _____
City: _____ State: _____ Zip: _____

Notarization:

Subscribed and affirmed/sworn to before me by, _____, this _____ day of _____, 20____, in the State of _____, in the City/County of _____ (Seal) _____, Notary Public

Notary Public Name (printed or typed) Notary Public Signature¹
My Commission Registration
Expires _____, 20____ No. _____

¹ Pursuant to §47.1-15(3) of the Code of Virginia, as amended, the notarial certificate wording must be contained on the same page as the signature being notarized.